

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

TAD L. SAUNDERS,

Plaintiff,

-vs-

Case No. 14-C-1600

**CAROLYN W. COLVIN,
Acting Commissioner of Social Security,**

Defendant.

DECISION AND ORDER

Plaintiff Tad L. Saunders (“Saunders”) seeks leave to proceed *in forma pauperis* (“IFP”) (ECF No. 2) on his appeal from the denial of his applications for social security disability insurance benefits and supplemental security income. In order to authorize a litigant to proceed IFP, the Court must make two determinations: first, whether the litigant is unable to pay the costs of commencing this action; and second, whether the action is frivolous or malicious. 28 U.S.C. §§ 1915(a) and (e)(2)(B)(i). The Court must deny a request to proceed IFP if (1) the allegation of poverty is untrue; (2) the action is frivolous; (3) the action fails to state a claim; or (4) the action seeks monetary relief against an immune defendant. 28 U.S.C. § 1915(e)(2).

By his petition and affidavit to proceed IFP, Saunders avers that he is married. His wife, who is employed, earns \$900 per month and Saunders receives \$543 in public assistance each month. Saunders owns a 2001 Buick

that is worth \$500. He owns no other valuable tangible property and has no cash or funds in a checking or savings account. Saunders's monthly expenses total \$1059. In addition, Saunders' wife owes about \$35,000 in student loans, and he has credit card and medical debt of an unstated amount.

Based on the information provided, Saunders has satisfied the requirements of 28 U.S.C. § 1915(a) by demonstrating that he is unable to pay the \$350 filing fee for this action. Furthermore, Saunders' Complaint states arguable claims for relief. Accordingly, Saunders' petition for leave to proceed IFP is granted.

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS
HEREBY ORDERED THAT:**

Saunders' petition for leave to proceed IFP (ECF No. 2) is **GRANTED**.

Dated at Milwaukee, Wisconsin, this 16th day of January, 2015.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge